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PTO/SB/21 (08-00)  
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/772,756	
	<b>Filing Date</b>	February 5, 2004	
	<b>First Named Inventor</b>	Fox	
	<b>Group Art Unit</b>	3673	
	<b>Examiner Name</b>	Unassigned	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	04017.00071

ENCLOSURES (check all that apply)					
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<table border="1"><tr><td>Remarks</td><td rowspan="2">The Commissioner is authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733. A duplicate of this sheet is enclosed.  Express Mail No. EL 995824407 US</td></tr><tr><td></td></tr></table>			Remarks	The Commissioner is authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733. A duplicate of this sheet is enclosed.  Express Mail No. EL 995824407 US	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jon O. Nelson Banner & Witcoff, Ltd.
Signature	
Date	June 14, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Attorney Docket No. 04017.00071

In re U.S. Patent Application of Fox, et al. )  
Application No. 10/772,756 ) Examiner: Unassigned  
Filed: February 5, 2004 ) Group Art Unit: 3673  
For: LATERAL DISPLACEMENT PIER AND )  
METHOD OF INSTALLING THE SAME )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §§1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 CFR §1.56. Copies of the references cited below are enclosed. The references are also listed on the enclosed and completed PTO Form PTO/SB/08A.

This Information Disclosure Statement is filed under 37 CFR §1.97(b) within three months of this application's filing date or before the mailing date of a first Office Action on the merits. Accordingly, there is no fee due for filing this Information Disclosure Statement.

Under 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Under 37 CFR §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the cited references are, or are considered to be, material to patentability as defined in 37 CFR. §1.56(b).

**U.S. Patents**

Likins, Jr., U.S. Patent No. 5,978,749, issued, 11/02/1999  
Finley, U.S. Patent No. 5,622,453, issued, 04/22/1997  
Fujioka, U.S. Patent No. 5,608,169, issued, 04/04/1997

Verstraeten, U.S. Patent No. 5,423,633, issued, 06/13/1995  
Fox, U.S. Patent No. 5,249,892, issued, 10/05/1993  
Holdeman, U.S. Patent No. 5,066,168, issued, 11/19/1991  
Blum, U.S. Patent No. 4,966,498, issued, 10/30/1990  
Lipsker, U.S. Patent No. 4,770,256, issued, 09/13/1988  
Steding, U.S. Patent No. 4,738,568, issued, 04/19/1988  
Sliwinski, U.S. Patent No. 4,730,954, issued, 03/15/1988  
Horvath, U.S. Patent No. 4,657,441, issued, 04/14/1987  
Tamaki, U.S. Patent No. 4,637,758, issued, 01/20/1987  
Bullivant, U.S. Patent No. 4,605,339, issued, 08/12/1986  
Sodder, Jr., U.S. Patent No. 4,314,615, issued, 02/09/1982  
Farmer, U.S. Patent No. 4,165,198, issued, 08/21/1979  
Yamada, U.S. Patent No. 3,869,003, issued, 04/04/1975  
Fuller, U.S. Patent No. 3,685,302, issued, 08/22/1972  
Sherard, U.S. Patent No. 3,638,433, issued, 02/01/1972

Other Documents

Handbook of Concrete Engineering, Second Edition, edited by Mark Fintel, Van Nostrand Reinhold Company, New York, NY, 2<sup>nd</sup> Ed., Chap. 8, pp. 268-320, 1985  
International Preliminary Examination for PCT/US00/01794 dated July 23, 2001  
International Search Report for PCT/US00/01794 dated June 6, 2000  
International Search Report for PCT/US01/19214 dated November 5, 2001  
J.E. Bowles, Foundation Analysis and Design, 4<sup>th</sup> Ed., Chap. 6, pp. 288-303  
Lawton, et al., Control of Settlement and Uplift of Structures using Short Aggregate Piers, ASCE National Convention, October 9-13, 1994, pp. 121-132  
ENR Engineering News-Record, the Construction Weekly, Shorter Piles Have Deep Impact, July, 1996

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Date: June 14, 2004

Respectfully submitted,

By: 

Jon O. Nelson

Registration No. 24,566

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/772,756
Filing Date	February 5, 2004
First Named Inventor	Nathaniel S. Fox
Group Art Unit	3673
Examiner Name	Unassigned
Attorney Docket Number	04017.00071

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US- 5,978,749	11/02/1999	Likins, Jr.	
	2	US- 5,622,453	04/22/1997	Finley	
	3	US- 5,608,169	04/04/1997	Fujioka	
	4	US- 5,423,633	06/13/1995	Verstraeten	
	5	US- 5,249,892	10/05/1993	Fox	
	6	US- 5,066,168	11/19/1991	Holdeman	
	7	US- 4,966,498	10/30/1990	Blum	
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	9	US- 4,738,568	04/19/1988	Steding	
	10	US- 4,730,954	03/15/1988	Sliwinski	
	11	US- 4,657,441	04/14/1987	Horvath	
	12	US- 4,637,758	01/20/1987	Tamaki	
	13	US- 4,605,339	08/12/1986	Bullivant	
	14	US- 4,314,615	02/09/1982	Sodder, Jr.	
	15	US- 4,165,198	08/21/1979	Farmer	
	16	US- 3,869,003	04/04/1975	Yamada	
	17	US- 3,685,302	08/22/1972	Fuller	
	18	US- 3,638,433	02/01/1972	Sherard	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

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	19	Handbook of Concrete Engineering, Second Edition, edited by Mark Fintel, Van Nostrand Reinhold Company, New York, NY, 2 <sup>nd</sup> Ed., Chap. 8, pp. 268-320, 1985	
	20	International Preliminary Examination for PCT/US00/01794 dated July 23, 2001	
	21	International Search Report for PCT/US00/01794 dated June 6, 2000	
	22	International Search Report for PCT/US01/19214 dated November 5, 2001	
	23	J.E. Bowles, Foundation Analysis and Design, 4 <sup>th</sup> Ed., Chap. 6, pp. 288-303	



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	24	Lawton, et al., Control of Settlement and Uplift of Structures using Short Aggregate Piers, ASCE National Convention, October 9-13, 1994, pp. 121-132	
	25	ENR Engineering News-Record, the Construction Weekly, Shorter Piles Have Deep Impact, July, 1996	

Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional) . <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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By: 

Fox, et. al., U.S. Patent Application No. 10/772,756 for "**LATERAL DISPLACEMENT PIER AND METHOD OF INSTALLING THE SAME**"

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